

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-6 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Entry of the Amendment

It is respectfully requested that the present amendment should be entered into the official file in view of the fact that the amendments to the claims automatically place the application in condition for allowance. Alternatively, it is requested that the present amendment should be entered for the purpose of appeal. The main amendment to claim 1 merely incorporates a limitation previously found in dependent claim 7. The other change to claim 1 does not present any new issue but more correctly states that the terminal portion is part of the base of the commutator than of the commutator itself.

Rejection under 35 U.S.C. 102

Claims 1-4 and 6 stand rejected under 35 U.S.C. 102 as being anticipated by Wang (U.S. Patent 4,859,893). This rejection is respectfully traversed.

First, Applicants wish to point out that this reference is assigned to the same company as the present application. Accordingly, the workings of this device are well known to the present inventor.

The Examiner said that the reference shows an electric motor with a rotor and stator and a commutator 20 mounted on the shaft. The Examiner also points out terminals 23 and 29. The Examiner states that the commutator has a base 21 and segments 22 connected at the base. The Examiner refers to the terminal portion 21 for supporting the terminals and a fan 29 with inner collar 27 and blades 29. The Examiner states that the collar 27 is fixed to the terminal portion 21 and by complimentary formations including snap-fit detents.

Applicants disagree with portions of the Examiner's understanding of the reference. As seen in Figs. 1 and 2 of the reference, the varistor ring 24 slides over the commutator so that tangs 23 contact silver pads 25 on the varistor ring 24. Clamping member 27 is mounted on the far side of the varistor ring with feet 31 engaging lugs 32 to clip the clamping member to the commutator. However, first ring 34 extends only as far as tangs 23 and likewise annular part 28 of the clamping member 27 is prevented from extending any further to the left. The fan blades 29 extend through

notches 26 so as to extend over the base portion 21. However, the annular part cannot extend over the base 21.

In the Examiner's response to arguments, he states that the fan being in contact with the base is not recited in the claim. The last phrase of claim 1 states that the collar of the fan is fitted to the terminal portion of the base of the commutator. Thus, the fitting of the collar to the base of the commutator is described. The Examiner states that Applicant's arguments about the collar not being circumferentially fitted to the terminal portion is not persuasive since the clamp member 27 is formed as a unitary plastic molding. Since the claims specifically describes that it is the collar portion of the fan that is fitted to the terminal portion of the base of the commutator, Applicants submit that the Examiner's statement is irrelevant. Since the collar is described as element 28 and since this element does not extend around the terminal portion of the base of the commutator, but is instead held further to the right by the varistor ring 24, Applicants submit that the reference does not teach the invention of claim 1.

Furthermore, in order to make this difference more clear, Applicants have now incorporated the limitation of claim 7 into claim 1 to make it clear that the terminal portion is separate from the support portion of the base. Thus, it is now even more clear that the extension of annular part 28 over the support portion of

the commutator does not meet the terms of claim 1. Furthermore, since the Examiner did not reject claim 7 over this singular reference, at best, the Examiner must apply the two way combination in the rejection of this claim.

Claims 2-6 depend from claim 1 and as such are also considered to be allowable. In addition, each of these claims recite additional features of the invention, which makes them additionally allowable. In regard to claim 2, Applicants disagree with the Examiner that the reference shows complimentary formations of detents. The reference includes projections 32 which engage with the feet 31 (column 2, lines 48-50). However, Applicants submit that claim 2 is patentable over this reference also. Claims 3 and 4 further describe this complimentary formation.

**Rejection under 35 U.S.C. 103**

Claims 5 and 7 stand rejected under 35 U.S.C. 103 as being obvious over Wang in view of Strobl (U.S. Patent 5,679,996). This rejection is respectfully traversed.

First, it is noted that claim 7 has been canceled rendering this part of the rejection moot. This rejection will be considered in regard to claim 1 instead.

The Examiner admits that Wang does not show the separate terminal and support portions of the base. The Examiner also admits

that Wang does not show commutator segments as being insulation displacing type terminals. The Examiner points out that Strobl teaches a commutator assembly where the terminal portion and supporting portion are separated to avoid difficulties in molding. However, Applicants submit that even if this reference does teach this feature, it would not be obvious to one of ordinary skill in the art to utilize this teaching in the Wang reference. That is, there is no teaching in either reference for the need for the Wang device to be formed separately. Since the Wang reference does not teach the need for separate portions, Applicants submit that there is no motivation to utilize the teachings of Strobl therein. Accordingly, Applicants submit that claim 1 is further allowable. Applicants submit that claim 5 and the other dependent claims are allowable based on their dependency from allowable claim 1.

#### Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

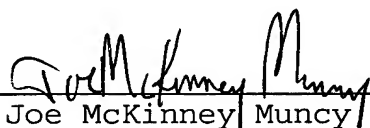
requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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